

REMARKS/ARGUMENTS

Claims 1-9 are pending in the application.

Applicant respectfully traverses the restriction requirement as inappropriate for the reasons set forth below. In addition, Applicant asserts that there would be no undue burden in examining these alleged two groups, as the Examiner has defined. The fees for examination of these claims had been remitted in the filing of the national application. Applicant has paid the requisite fees and consequently respectfully requests to receive what has been paid for.

In the Office Action, an election was required between three groupings of claims based on the assertion that these groupings are “not linked are not so linked as to form a single general inventive concept under PCT Rules 13.1.”

Furthermore, according to the Office Action, “the inventions listed as Groups I - III do not relate to a single general inventive concept under PCT Rule 13.1, because under PCT Rule 13.2, they lack the same or corresponding special technical features . . . (Office Action, Item 2)”. The Office Action’s assertion of different technical features of Group I “*the nozzle configuration*”, Group II, “*dicing apparatus configuration*,” and Group III, “*a specific use of a sawing apparatus*” is not quite sufficient.

Applicant respectfully asserts that this condition is incorrectly applied to the instant invention because the identified groupings include common distinguishing technical features, namely each group includes the feature of “*cutting blade for cutting* (Claim 1),” “at least one cutting blade (Claim 5), and “*cutting blade* (Claim 8 being dependent on Claim 5 and incorporating the feature),” and thus relate to a single general inventive concept under PCT Rule 13.1 and 13.2.

Applicant has reviewed the International Preliminary Report on Patentability (IPRP of Application No. PCT/IB2005/050662, filed 23 FEB 2005) hereinafter, “IPRP,” corresponding to this national application. The IPRP noted no issues with a “Lack of Unity of Invention” with respect to the pending claims; the IPRP concurs with the “observance of this requirement is checked by the International Searching Authority and may be relevant to the national (or regional) phase. (MPEP §1850), Paragraph I.” This tends to vitiate the arguments raised in the Office Action for restriction under these grounds. For convenience, a copy of this IPRP is enclosed, and follows the Remarks/Arguments. In addition, the PCT International Search

Report (ISR) dated 01 JUN 2005 is included and follows. Cited references had already been disclosed in Information Disclosure Statement submitted on 01 DEC 2006.

Reconsideration and withdrawal of the restriction requirement is respectfully requested, along with concurrent examination of claims 1-9.

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 50-4019.

Respectfully submitted,

Date: April 8, 2009

By: Peter Zawilski/
Peter Zawilski, Reg. No. 43,305
(408) 474-9063

Correspondence Address:

NXP, B.V.
NXP Intellectual Property Department
1109 McKay Drive; Mail Stop SJ41
San Jose, CA 95131 USA

CUSTOMER NO. 65913